

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
BRANDON LEE, P/K/A "DON LEE" and GLEN KEITH :
DEMERITT III, :

Plaintiffs, :

-v- :

MONTERO LAMAR HILL P/K/A "LIL' NAS X"; :
BELCALIS MARLENIS ALMÁNZAR P/K/A "CARDI :
B"; DAVID CHARLES MARSHALL BIRAL P/K/A :
"TAKE A DAYTRIP"; DENZEL MICHAEL-AKIL :
BAPTISTE P/K/A "TAKE A DAYTRIP"; ROSARIO :
PETER LENZO IV; KLENORD RAPHAEL; RUSSELL :
JAMES CHELL JR.; ALEX FACIO; UNXQUE; SONY :
MUSIC ENTERTAINMENT, *individually, and doing* :
business as "COLUMBIA RECORDS"; SONY MUSIC :
HOLDINGS, INC.; SONGS OF UNIVERSAL, INC.; and :
DOES 1-10, :

Defendants. :

19-CV-9220 (JMF)


ORDER

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JESSE M. FURMAN, United States District Judge:

At the initial pretrial conference in this matter, the Court reserved judgment on whether to bifurcate discovery. The Court anticipated ruling shortly thereafter, but was unfortunately delayed by the onset of the COVID-19 pandemic. In any event, upon review of the parties' submissions and arguments at the initial conference, the Court agrees with Defendants that discovery in this case can and should be bifurcated to provide for an initial phase of expert discovery as to the substantial similarity test. Mindful that the parties may have made some progress on discovery since the initial pretrial conference and that the pandemic may complicate future discovery, the parties shall submit an agreed-upon proposed scheduling order consistent with this Order no later than **May 15, 2020**.

SO ORDERED.

Dated: May 7, 2020
New York, New York



JESSE M. FURMAN
United States District Judge